

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

ALLERGAN, INC. and DUKE UNIVERSITY,

Plaintiffs,

v.

**WATSON PHARMACEUTICALS, INC.,
WATSON LABORATORIES, INC., and
WATSON PHARMA, INC.,**

Defendants.

12-CV-321

JUDGMENT

For the reasons set forth in the Memorandum and Opinion and Order filed on January 24, 2013 in *Allergan, Inc. et al. v. Apotex, Inc., et al.*, Case No. 1:10-CV-681 (consolidated) and pursuant to the Order Partially Staying Case (Docket No. 48),

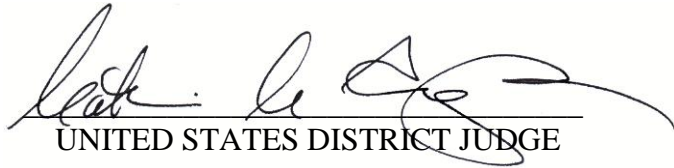
It is hereby **ORDERED AND ADJUDGED** that Judgment is entered in favor of Plaintiffs Allergan, Inc. and Duke University (collectively “Plaintiffs”) and against Watson Pharmaceuticals, Inc., Watson Laboratories, Inc. and Watson Pharma, Inc. (collectively “Watson”) on Plaintiffs’ claims that Watson has infringed claims 1, 8, 14, 18 and 20 of U.S. Patent No. 7,388,029 (the “’029 patent”) and claim 14 of U.S. Patent No. 7,351,404 (the “’404 patent”).

It is further **ORDERED AND ADJUDGED** that Judgment is entered in favor of the Plaintiffs and against Watson on all counterclaims alleging noninfringement or invalidity of the ’029 and ’404 patents.

It is further **ORDERED** that pursuant to 35 U.S.C. § 271(e)(4)(A):

1. the effective date of approval of Abbreviated New Drug Application No. 203749, filed by or on behalf of Watson Pharmaceuticals, Inc., Watson Laboratories, Inc. and Watson Pharma, Inc., shall be a date which is not earlier than the later of the expiration dates of the '029 and '404 patents.

This the 4th day of February, 2013.



UNITED STATES DISTRICT JUDGE

CONSENTED TO:

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| <p>VAN WINKLE BUCK WALL STARNES & DAVIS, P.A. Larry Stephen McDevitt N.C. State Bar # 5032 POB 7376 Asheville, NC 28802 Tel: (828) 258-2991 Fax: (828) 257-2767 lmcdevitt@vwlawfirm.com</p> <p>FISH & RICHARDSON P.C. Juanita R. Brooks Roger Denning 12390 El Camino Real San Diego, CA 92130 Tel: (858) 678-4377</p> <p>Jonathan E. Singer Deanna J. Reichel 60 S. 6th St., Ste. 3200 Minneapolis, MN 55402 Tel: (612) 766-2095</p> <p>Douglas E. McCann A. Martina Hufnal Robert M. Oakes Elizabeth M. Flanagan 222 Delaware Avenue Wilmington, DE 1980 Tel: (302) 652-5070</p> <p>GIBSON, DUNN, & CRUTCHER LLP Jeffrey T. Thomas 3161 Michelson Dr. Irvine, CA 92612 Tel: (949) 451-3967</p> <p>ATTORNEYS FOR PLAINTIFFS ALLERGAN, INC. AND DUKE UNIVERSITY</p> | <p>DAVIS & HAMRICK, LLP H. Lee Davis, Jr. N.C. State Bar # 7683 635 West Fourth St. Winston-Salem, NC 27120 Tel: (336) 725-8385 ext. 107 Fax: (336) 723-8838 ldavis@davisandhamrick.com</p> <p>POLSINELLI SHUGHART PC Gary E. Hood Mark Deming 161 N. Clark Street, Suite 4200 Chicago, IL 60601-3316 (312) 873-3653</p> <p>Lauren W. Cohen Robyn H. Ast 100 S. Fourth Street, Suite 1000 St. Louis, Missouri 63102 (314) 622-6614</p> <p>ATTORNEYS FOR DEFENDANTS WATSON PHARMACEUTICALS, INC., WATSON LABORATORIES, INC., AND WATSON PHARMA, INC.,</p> |
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